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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Smithpeter et al
Serial No.: 10/ 681,961
Filed: October 9, 2003
For: Parallel Phase-Sensitive Three-Dimensional Imaging Camera

Group No.: 2624
Examiner: Mariam, D.
Paper No.: 20070530

RESPONSE TO OFFICE ACTION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants have carefully reviewed the Office Action of May 14, 2007 and submit the following in complete response thereto. Reconsideration of the claims is respectfully requested in order to place the Application in condition for allowance.

Remarks

The following comments are provided in support of the claims presented.

1. 112 Rejections:

The Office has rejected Claims 12 and 22 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as their invention. Specifically, the Office cites the phrase in Claims 12 and 22 relating to the phase delay for each modulator "...an integer fraction of a period of the ac reference signal..." as being indefinite since it is unclear what values or numbers are included or excluded by the integer and/or the period of the ac reference signal.

Those skilled in the art will understand that an ac signal periodic is cyclic with a period which can be expressed in terms of a phase angle which repeats every 360 degrees of phase (see page 4, lines 25-26). Applicant's specification on page 4, lines 17-20 further defines integer fractions as being 0, 1/n, 2/n, 3/n... (n-1)/n where n is an integer equal to the number of modulators associated with each photodetector. Thus, the expression "an integer fraction of a period of the ac reference signal" refers to a phase delay which can be expressed as 360/n